

NOMINATION OF ANN WINKELMAN BROWN TO
BE COMMISSIONER AND CHAIRMAN OF THE
CONSUMER PRODUCT SAFETY COMMISSION

4. C 73/7: S. HRG. 103-536

Nomination of Ann Winkelman Brown t...

HEARING
BEFORE THE
COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE
ONE HUNDRED THIRD CONGRESS

SECOND SESSION

FEBRUARY 9, 1994

Printed for the use of the Committee on Commerce, Science, and Transportation



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NOMINATION OF ANN WINKELMAN BROWN TO BE COMMISSIONER AND CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COM- MISSION

WEDNESDAY, FEBRUARY 9, 1994

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The committee met, pursuant to notice, at 9:33 a.m. in room SR-253, Russell Senate Office Building, Hon. Richard H. Bryan, presiding.

Staff members assigned to this hearing: Claudia A. Simons, staff counsel, and Rebecca A. Kojm, professional staff member; and Emily J. Gallop, minority professional staff member.

OPENING STATEMENT OF SENATOR BRYAN

Senator BRYAN. Let me take this opportunity to welcome our nominee and to express good morning to everyone here in attendance this morning, and to Members of the Congress who we will hear from shortly.

This morning, we convene a hearing on the nomination of Ann Brown to be the Chairman of the Consumer Product Safety Commission. As chairman of this committee's Consumer Subcommittee for the past 5 years, I have devoted a considerable amount of time to issues related to consumer product safety. In particular in this Congress, I have sponsored the Children's Bicycle Helmet Safety Act along with Senator Danforth, and cosponsored the Child Safety Protection Act with the ranking member of the subcommittee, Senator Gorton. Both these measures are intended to reduce deaths and injuries to a particularly vulnerable segment of our population, our children. And I am pleased that the Senate has already passed the legislation, and I am confident that the differences with the House will be quickly resolved and we will enact this important safety legislation this year.

Although the CPSC is a small agency, its mission is vitally important. I am very pleased that the President has selected an individual to chair this agency who recognizes the CPSC's importance in reducing consumer deaths and injuries, and shares this Senator's commitment to product safety. When we were able to meet in my office a few weeks ago I was impressed with her broad vision for the agency, and I came out of that meeting with a very positive feeling about the course of action that she will take and the direction that she will lead this agency.

The chairmanship of the CPSC can be both a challenging and a rewarding position. Given the agency's limited funding, the new chairman will be required to do more for less, for every dollar will have to go farther. Yet the benefits of saving lives and reducing injuries cannot be underestimated.

The CPSC has over 15,000 consumer products within its jurisdiction which are associated with 28.6 million injuries and 21,700 deaths. Any reduction in these numbers would result not only in a direct savings of healthcare costs but would also represent a significant contribution in the battle against needless human pain and suffering. I look forward to working with her and to hear from her later this morning. Mr. Chairman, your comments, please.

OPENING STATEMENT OF SENATOR HOLLINGS

The CHAIRMAN. I welcome Ms. Brown to the committee. If confirmed, she will have an important role in ensuring that the Consumer Product Safety Commission fulfills its responsibilities with respect to reducing the number of accidental consumer deaths and injuries that occur each year. In the past, the CPSC has been the object of criticism for its perceived inaction and indifference to its congressionally mandated mission to protect the public from unreasonable risk of injury. As a result, Congress frequently has been left with the task of addressing issues that more appropriately should be dealt with by the agency itself. Ms. Brown, if confirmed, will be responsible for ensuring that the CPSC performs the mission Congress intended it to perform when the agency was created.

Ms. Brown's background indicates experience which prepares her for this important and difficult challenge. I look forward to her testimony.

Thank you, Mr. Chairman.

Senator BRYAN. Thank you, Mr. Chairman. We are honored to be joined this morning by Congressman Robert Matsui from California of the 5th congressional district and Congresswoman Eleanor Holmes Norton from the District of Columbia, who will both introduce the nominee shortly. But before yielding to them, I would yield to my distinguished colleague, who himself has played an important role not only in this committee but in the Congress in advancing the interests of consumers in America. Senator Dorgan.

OPENING STATEMENT OF SENATOR DORGAN

Senator DORGAN. Thank you very much. I am pleased to be here. I have to preside on the Senate floor in a short period of time, so I will not be able to stay for the entire hearing. But it is nice to see my former colleagues from the House, Delegate Norton and Congressman Matsui. We sat next to each other for 10 years. I never got tired of it. Welcome over to this side. It is nice to see both of you here.

I was, in the last few evenings, looking through some homework, and looked through Ann Brown's résumé and application in some detail, and it is always interesting to me that without knowing what you are going to find in a résumé you find the kind of quality that is pretty unusual for these positions.

This is an important position in Government. The Consumer Product Safety Commission during the last decade has seen a sub-

stantial diminished strength in numbers and resources, and the challenge is to find someone to run that Commission, which is an important commission, who has the ability to do more with less. And I think the President has selected someone with an extraordinary background, with over 2 decades of advocacy for consumer product safety and a myriad of other talents and experiences that I think will serve this Government well. And I welcome Ann Brown and will be pleased today to support the furtherance of this nomination.

Senator BRYAN. Thank you very much, Senator Dorgan. I certainly endorse those comments, as well.

Let us hear, I think, from the senior member of the delegation. Congressman Matsui, welcome, and we are pleased to have you before the subcommittee to introduce our nominee.

STATEMENT OF HON. ROBERT MATSUI, U.S. HOUSE OF REPRESENTATIVES

Mr. MATSUI. Thank you very much, Mr. Chairman and Senator Dorgan, as well. We did sit next to each other for about 10 years on the Ways and Means Committee, and we miss you, Byron. But I am sure you are enjoying yourself here.

I am very pleased to be with my colleague, Congresswoman Eleanor Holmes Norton, to introduce the nominee today. I will be very brief in terms of her professional background. You undoubtedly know it, having looked over her record. But just very briefly, a few things come to mind and must be brought to the public's attention.

One, as you know, she is chairman of Public Voice and she has been vice chairman since 1989 of the Consumer Federation of America. But there are two things that I think are very important. One, Ann Brown was instrumental in setting up the District of Columbia Office of Consumer Protection. This was something that was needed over the years, and Ann, with a group of citizens and consumer advocates, was one of the forerunners of this operation. And now, as a result, over 700,000 people in the District of Columbia could feel more secure in the purchase of much of their products.

In addition, one of the most important consumer advertising documents, the Toys and Children's Product Quality Safety and Price Survey, issued every year, is nationally recognized, and Ann was instrumental in putting that together on an annual basis. And I have to say that as you, Mr. Chairman, mentioned, so many Americans as a result of this now know what kind of products to buy for their children. We probably have hundreds, thousands of young people whose lives are saved as a result of this document.

On a personal level, I have known Ann now for over a decade, and two aspects of her character come to my mind. One is the obvious one. I have never seen anybody who was more balanced in terms of her judiciousness in approach to life and to almost everything she does. And this particularly will be very important in the 1990's. We need, obviously, to make sure that the private sector has an opportunity to be creative, but at the same time we need to make sure that we protect the American citizen, particularly with imports coming into the United States. And as a result of that

I think Ann Brown will be a tremendous advocate for the consumer interest.

Second, and last in terms of your comments about the fact that we are cutting the budget, the President's budget just came out and I think over the years we are going to see even more stringent budget controls. And the Consumer Product Safety Commission, like other agencies of the Federal Government, unfortunately will probably be diminished in terms of its resources. Ann will be able to make sure that the American taxpayer's dollar is used in the most efficient and productive way. And I think that will be extremely important, obviously, for those of us that must make these budgetary decisions, and certainly for the American public.

And so I am very, very pleased that the President has nominated her to be chair of the Consumer Product Safety Commission, and certainly, I look forward to working with her and with all of you over the years to protect the interests of our consumers.

Thank you, Mr. Chairman.

Senator BRYAN. Thank you very much, Congressman Matsui. We appreciate those comments, and I am sure Ann enjoyed them as well.

Let me turn next to Congresswoman Norton, who is Ann's congressional Representative. Welcome. We are pleased to have you before us.

STATEMENT OF HON. ELEANOR HOLMES NORTON, U.S. HOUSE OF REPRESENTATIVES

Ms. NORTON. Thank you very much, Mr. Chairman. It is for me a very special and personal pleasure to introduce and recommend my friend Ann Brown as a most worthy nominee to chair the Consumer Product Safety Commission. I am pleased to do so in partnership with my good colleague Bob Matsui because Ann, after all, is not only a local, but she is a national treasure.

I want to assure you, however, that she is truly a Washingtonian. She has spent her life in this city from the time she was a girl, and she went on to make her mark and to leave her mark in this city. Ann Brown inevitably has been the Washingtonian of the Year, yet her contributions as a tireless consumer advocate and activist are truly national and truly wonderful preparation for the position for which she has been nominated for consumers in this country.

Ann Brown has simply done it all in many roles. She has done it as the vice president of the Consumer Federation of America, she has done it to national applause with the Toy and Children's Product Survey, she has done it as chair of Public Voice in health and nutrition issues, she has done it in her work with the Institute for Injury Reduction and the Coalition for Consumer Health and Safety. And there is more, much more, Mr. Chairman, which of course will be a matter of record before this hearing is over. But you can see from the slice I have given you that it would have been difficult for President Clinton not to have nominated Ann Brown to be chair of the Consumer Product Safety Commission.

Now, Washingtonians would want you to know that we take special pride in Ann Brown because of her extraordinary contributions to civic life in this city. She has been awarded the city council's cer-

tificate of merit, and of course, as Bob has said, she is responsible largely for establishing the Office of Consumer Product Safety here in the District of Columbia itself. In addition to all this work in consumerism and consumer protection, she has done much work for this city in more ways than time allows me to enumerate, from her board work with the Washington Opera Society to her work with the American Jewish Committee.

Mr. Chairman, Ann Brown puts it all together, the energy, the brains, and of course, the demonstrated dedication. She is a nominee whose own record is its own best recommendation. I am proud, therefore, to recommend her to you and to urge you to confirm Ann Brown as the chair of the Consumer Product Safety Commission.

Senator BRYAN. Thank you very much, Congresswoman Norton. We are pleased to have your comments before us as well. I know the two of you may have a busy schedule this morning, and if you need to excuse yourself let me give you the opportunity, and at the same time extend an invitation for you to stay as long as you can. We appreciate very much your comments.

Ms. Brown, it appears that this was a position that was almost tailor made for your background after 20 years of consumer advocacy, and we are delighted to have you here with us this morning and quite pleased with the President's decision to nominate you. Let me, before hearing your statement, give you an opportunity to introduce some people that are equally proud of your nomination this morning and who have been a very vital part of your own life, and that is your family. So, if you would care to do so, please introduce them and let us acknowledge them, if you would, please.

STATEMENT OF ANN WINKELMAN BROWN, COMMISSIONER- AND CHAIRMAN-DESIGNATE, CONSUMER PRODUCT SAFETY COMMISSION

Ms. BROWN. Thank you, Senator. I would like to introduce them although I am not sure they recognize me from those glowing words, which are fairly phenomenal. [Laughter.]

Maybe it will convince my husband. My husband Donald Brown is here, of course, long suffering and long supporting; my daughter, Cathy, and her fiance, Capt. Peter Partridge of the Newark, NJ, Fire Department. Cathy has three children and is a first-year student at Columbia Law School, so she is quite an achiever; my brother, Stephen Winkelman and his wife Ann, and many other relatives and friends and colleagues.

Senator BRYAN. Let me welcome Ann's family to this nomination hearing, as well, and Ann, we would be pleased now to hear from you any statement you care to make.

Ms. BROWN. Thank you. I would release my full statement for the record so I will not keep you here too long, Senator. In case you did not know, Mr. Chairman and members of the committee, my name is Ann Brown, and I am deeply honored to be nominated Chairman and Commissioner of the Consumer Product Safety Commission by President Clinton. I must thank Congressman Matsui and Congresswoman Norton for their terrific statements of support and confidence. They did sound as if they were written by my mother. I know how busy they are, and I am so appreciative of the honor they have bestowed upon me.

Mr. Chairman, I am the daughter of a small businessman from Washington, DC. My father owned a ladies clothing store on F Street, and I used to take two buses and a streetcar from school down to the store and do my homework in the back fitting rooms. Then I used to walk on F Street and talk to the other merchants, and buy strawberry pie at Reeves. And it was there that my view of business and the consumer were shaped at that store.

My father—in fact, both my father and mother—taught me that respect for the consumer is the basis of a good business relationship. In addition, I learned respect for the small businessman. Serving on the Consumer Product Safety Commission would be the fulfillment of a long career in consumer protection and product safety. I have been active in consumer organizations for more than 20 years, with a special interest in product safety.

A still vivid personal incident stimulated my involvement in the field. My 3-year-old daughter was about to swallow something that looked to her like a delicious piece of cherry candy from a paint set. It was not candy. It was a bright red glue pellet, and on the set, the paint set, it said do not eat the glue pellet. But of course, my 3-year-old could not read.

If confirmed, I will adopt a balanced approach to regulation, favoring voluntary compliance and standards whenever possible. On the other hand, I want to emphasize that I will not hesitate to recommend strong mandatory action when necessary to protect the public. I will, I assure you, do everything in my power to enforce the laws under the Commission's jurisdiction. I will be action oriented, to achieve the most pragmatic results within a reasonable time. I also believe firmly that the Commission should target its efforts to the most vulnerable in our society: children, the elderly, minority populations, those with special handicaps. Focusing on these groups can improve their health and safety, which will produce economic and social dividends for the Nation.

I have closely followed the activities of the Commission for many years, and I am concerned that the Commission may not be exercising the full extent of its authorities, that its priorities may not be right for this decade, and that it may not be making the fullest use of its economic and human resources. If I am confirmed, I intend to explore these issues with the current Commissioners and staff. I want the CPSC to take the lead and become the cutting edge of consumer product safety.

The Commission can fulfill its responsibility to protect the American people from unreasonable risk of injury and death without becoming overly invasive. The Commission cannot and should not attempt to protect consumers from every possible risk of injury from consumer products. There are limits to what Government regulation can achieve. I know that in the past there has not always been a close and cooperative relationship between the Commission and the Congress.

If confirmed, I will consult frequently with this and other relevant committees to assure that the Commission is carrying out congressionally established policies effectively. There will be no surprises. I welcome congressional oversight, and believe that as the Commission again becomes a strong advocate of consumer safety there will be less need for product-specific legislation.

Mr. Chairman, in the State of the Union and other recent speeches President Clinton has stressed the theme of personal security. He said people have a desire to be secure in their homes, their persons, and their lives, and to see their children brought up in safety. I would extend this to mean that the security means freedom from unreasonable risks of injury or death from unsafe products. If confirmed, I pledge to heed the President's message at the Consumer Product Safety Commission.

I will be glad to answer any questions you may have.

[The prepared statement, biographical data, and prehearing questions and answers follow:]

PREPARED STATEMENT OF ANN WINKELMAN BROWN

Mr. Chairman, Members of the Committee, my name is Ann Brown. I am deeply honored to be nominated Chairman and Commissioner of the Consumer Product Safety Commission by President Clinton.

First, let me thank Congressman Matsui and Congresswoman Norton for their generous statements of support and confidence. I know how busy they are and am deeply appreciative of the honor they have bestowed on me.

Mr. Chairman, I am the daughter of a small businessman from Washington, D.C. My father owned a ladies' clothing store, and I did my homework after school in the back fitting room.

My views of business and the consumer were shaped at that store. My father—in fact, both my father and my mother—taught me that respect for the consumer is the basis of a good business relationship.

Serving on the Consumer Product Safety Commission would be the fulfillment of a long career in consumer protection and product safety. I have been active in consumer organizations for more than 20 years, with a special interest in product safety. A still vivid personal incident stimulated my involvement in the field. My very young daughter was about to swallow something that looked to her like a delicious piece of strawberry or cherry candy. It wasn't candy. It was a bright red glue pellet.

As Commissioner, I hope to blend the values that I learned at my father's store with the cooperative working relationship with industry that marked the tenure of former CPSC Chairperson Susan King.

I know there are many who believe one must take an adversarial approach to prove that you are a "bona fide" advocate in behalf of the consumer. There may be times when an adversarial relationship is appropriate. My experience tells me, however, that persuasion has a more lasting, and therefore more useful, impact than coercion.

Persuasion does not mean procrastination or non-compliance, however. To be effective, voluntary standards must be timely and honored.

Let me give you an example of what I have in mind. I mentioned former Chairperson Susan King. In 1979, she worked very closely with the manufacturer of an automatic coffee maker because the lids presented a serious safety problem. This was no small matter. In fact, it was the largest non-automobile recall of a consumer product until that time.

By working with the company and drawing on its ingenuity, she was able to develop a creative approach for solving this problem. The company conducted a broad advertising campaign to take the product off the market, including brochures that showed products which people could obtain by applying the price of the dangerous product to another product.

Strong persuasion by the Commission and prompt action by the company turned a safety problem into a sales opportunity. As a result, the company upheld its reputation and the trademark it had worked so hard to maintain. Most important, a dangerous product was removed from the market.

That, Mr. Chairman, is what I mean when I say that product safety is good business. If confirmed, I will adopt a balanced approach to regulation, favoring voluntary compliance and standards wherever possible. On the other hand, I will not hesitate to recommend strong, mandatory action where necessary to protect the public. I will, I assure you, do everything in my power to enforce the laws under the Commission's jurisdiction.

I will be action oriented, to achieve the most pragmatic results within a reasonable time. I also believe the Commission should target its efforts to the most vulner-

able in our society—children, the elderly, minority populations, and those with special handicaps. Focusing on these groups can improve their health and safety, which will produce economic and social dividends for the Nation.

I have closely followed the activities of the Commission for many years and am concerned that the Commission may not be exercising the full extent of its authority, that its priorities may not be right for this decade and that it may not be making the fullest use of its economic and human resources. If I am confirmed, I intend to explore these issues with the current commissioners and staff. I want the CPSC to take the lead and become the cutting edge of consumer product safety.

However, Mr. Chairman, the Congress and the Commission can be justly proud of certain areas of progress in product safety over the past 20 years. For example, the number of deaths of young children due to flammable fabrics has fallen from 60 in 1970, before the Flammable Fabrics Act and the Commission's standards, to an average of less than five per year in the 1980's after the standards became effective.

The need continues for strong enforcement of the five consumer protection statutes within the Commission's jurisdiction. Of the estimated 93,500 annual deaths resulting from unintentional injury 21,600, or nearly one-fourth, are related to consumer products within the agency's purview. In addition, 28.5 million injuries yearly result from consumer product use. Non-fatal injuries account for one in every six hospital days. These injuries cause huge losses of productivity and avoidable medical care costs. Injuries, deaths, and property damage associated with consumer products cost the public about \$150 billion annually.

Unfortunately, it is still true that the marketplace does not always inform consumers of the dangers in certain products and that some products do have hidden hazards. We all know that seemingly innocent and innocuous products can cause death and injury to children and others. If a product can be used dangerously, a child will find the way to do so.

The Commission can fulfill its responsibility to protect the American people from unreasonable risk of death and injury from consumer products without becoming overly invasive. The Commission cannot and should not attempt to protect consumers from every possible risk of injury from consumer products. There are limits to what government regulation can achieve.

Mr. Chairman, I recognize the objectives I have set forth today must be accomplished within a limited budget. The Commission should be part of the reform effort initiated by Vice President Gore in his report "Reinventing Government." I fully support the principles enunciated by the Vice President.

A vital part of this reform is the President's Executive Order on regulation issued on September 30, 1993. In it, the President directed the regulatory agencies to streamline their processes and to make them more "fair, responsive and straightforward." I support this goal and will do everything I can to assure that the CPSC achieves this result.

I know that in the past there has not always been a close and cooperative relationship between the Commission and the Congress. If confirmed, I will consult frequently with this and other relevant Committees to assure that the Commission is carrying out Congressionally established policies effectively. I welcome Congressional oversight and believe that as the Commission again becomes a strong advocate of consumer safety there will be less need for product specific legislation.

Mr. Chairman, in the State of the Union and other recent speeches, President Clinton has stressed the theme of personal security. "People have a desire to be secure in their homes, their persons, and their lives and to see their children brought up in safety * * *" This security certainly extends to freedom from unreasonable risks of injury, or death from unsafe products. If confirmed, I pledge to heed the President's message at the Consumer Product Safety Commission.

I will be glad to answer any questions you may have.

BIOGRAPHICAL DATA

Name: Brown, Ann Winkelman; address: 2667 Marseilles Drive, Palm Beach Gardens, FL 33410; business address: self-employed—work out of home.

Position to which nominated: Chairman, Consumer Product Safety Commission; date of nomination: November 16, 1993.

Date of birth: March 11, 1937; place of birth: Philadelphia, PA.

Marital status: Married; full name of spouse: Donald Arthur Brown; names and ages of children: Cathy Klebanoff Brown, 32; and Laura S.B. Hock, 28.

Education: George Washington University, 9/58–6/59, B.A.; Smith College, 9/55–6/58; and the Sidwell Friends School, 9/51–6/55, diploma.

Employment: 1970–present, self-employed, unpaid consumer consultant; 9/26, 27/88, Ogilvy & Mather, Florida Department of Citrus, spokesperson; 2/86–3/86, Ogilvy & Mather, Florida Department of Citrus, spokesperson; and 1959–63, New York Post, Washington, DC, press.

Government experience: D.C. Office of Consumer Protection, Chairman, Advisory Committee; and D.C. Lemon Law, Member, Arbitration Board.

Political affiliations: Consumer Activist Task Force, Clinton/Gore Campaign, 1992; Participant, Press Conference on Bush Consumer Record, October 1992; Convention Site Selection Committee, 1992 Convention; Democratic National Committee Business Council, 1987; Democratic National Committee Women's Council, 1983–86, Democratic National Committee Finance Council, 1983–93; JAC–PAC, 1988–present; Hadassah, 1988–present; American Israel Public Affairs Committee (AIPAC), 1985–90; American Jewish Committee, 1985–90; and Carter-Mondale Consumer Task Force, 1984.

Memberships: Consumer Nonprofit Positions: Institute for Injury Reduction—Toy Survey, 1991–93, Member and Spokesperson; Consumer Federation of America, 1980–93, Vice President; Public Voice, 1983–93, Chairman of the Board; Center for the Study of Commercialism, 1992–93, Board Member; Americans for Democratic Action, Consumer Affairs Committee, 1980–1993, Chairman; Coalition for Consumer Health and Safety, 1988–93, Member; Public Citizen, 1992–93, Member.

Civic and Cultural Nonprofit: Washington Opera Society, Board Member, 1982–present; National Symphony Orchestra, Board Member, 1979–present; Corcoran Gallery of Art, Board of Overseers, 1993; National Council for Johns Hopkins Medicine, 1983–present; Washington Hebrew Congregation, 1939–present; Temple Beth David, 1991–92; American Digestive Disease Association, 1980–83; American Jewish Committee, Executive Committee Member, 1982–84; American Committee for the Weitzmann Institute in Israel, National Board Member, 1984–88; American-Israel Cultural Foundation, Board Member, 1982–84; New York City Ballet, Inc., Member, International Committee, 1979–83.

Private Clubs: The Georgetown Club, 1973–present; and Woodmont Country Club, 1989–present.

Honors and awards: Best Essay, American Studies Major, George Washington University, 1959 (monetary); Member of the Year Award, Americans for Democratic Action; D.C. City Council, Certificate of Merit, 1986; and Washingtonian of the Year, 1988–89.

Published writings: The Toy Report, 1975–90.

PREHEARING QUESTIONS ASKED BY THE COMMITTEE AND ANSWERS THERETO BY MR. BROWN

Question. what is your general philosophy toward regulation of business? How can regulation affect matters of consumer health and safety? How would you resolve the competing interest of consumer and industry advocates?

Answer. If confirmed, I will adopt a balanced approach to regulation, favoring voluntary compliance and standards whenever possible. However, I will not hesitate to recommend strong, mandatory action where necessary to protect the public. I will, I assure you, do everything in my power to enforce the laws under the Commission's jurisdiction.

The Commission should always be guided by the provision of the statutes it enforces, the legislative history of these laws and the decisions of the courts interpreting them. I would look to these sources to resolve competing interests.

Question. If confirmed as the Chairman of the Consumer Product Safety Commission (CPSC), what specific goals would you like to accomplish in that position, and what role do you see for the agency in the future?

Answer. I have three goals for the Commission: First, I want the Commission to become a proactive guardian of consumer health and safety. When Congress established the CPSC it intended the Commission to take the lead in protecting Americans from death and injury due to dangerous products. The Commission must not wait for others to bring such products to its attention. The CPSC must reach out aggressively and protect consumers from products which threaten them.

Second, I want the Commission to be a highly visible and effective champion of the consumer interest. I want the public to recognize the Agency as its protector from dangerous products. I hope to restore its strong reputation based on real, substantive accomplishments.

Third, I want the Commission to become the focal point of the Nation for product safety efforts. I hope we can bring together and coordinate public agencies and pri-

vate groups to make a combined attack on dangerous products. This can make our country a safer place to live for all its citizens.

Question. What are your priorities for the agency with respect to addressing specific product hazards? How would you focus the agency's limited resources to achieve the greatest reduction in deaths and injuries associated with consumer products?

Answer. I want to reserve judgment on addressing specific products hazards until I have had an opportunity to study the current accident and injury data, conduct any necessary research, and consult with the other Commissioners and staff. My approach to establishing priorities among specific product hazards will be to attempt to achieve the greatest good for the most Americans at the least cost to the Agency. With our small budget, it is essential that we pay close attention to the benefits and costs of our actions. We must be both efficient and effective.

I intend to focus the Agency's resources on selected priority hazards by establishing task forces, or as I call them "swat teams" composed of people from all the operating divisions of the Commission so that these hazards can be attacked in the most coordinated and effective way, using all the tools the laws provide.

Question. To what extent do you believe the agency has strayed from its original Congressionally-mandated mission to "protect the public against unreasonable risks, injuries, and deaths associated with consumer products"? If so, what steps can be taken to put the agency back on track and improve its overall reputation?

Answer. It would be inappropriate at this time to pass judgment on the actions of the current or recent Commissioners, but along with many Senators, Congressmen, and others involved with consumer protection, I did not approve of the apparent anti-consumer position adopted several years ago by former Chairman Terry Scanlon.

For the future, the Commission must always be guided by Congressional intent. Congress created the CPSC to take a lead role in consumer product safety. We must be an activist Agency. In order to have a good reputation, we must demonstrate to Congress and the public that we can effectively protect our citizens from the risk of death and injury due to dangerous products.

Question. At times, the CPSC's relationship with Congress has been strained and Congress has felt the need to micro-manage the agency. If confirmed, what actions will you take to improve relations with Congress?

Answer. I will consult regularly with members of the authorizing and appropriations committees of the House and Senate, solicit their views on Agency issues, and keep them fully informed of our current and contemplated actions. I will make it a high priority to assure a close and cooperative relationship between the Commission and the Congress.

Question. As you may know, when the CPSC was originally created, five commissioner positions were established. For the past several years, however, only three commissioners actually have been appointed, and the quorum requirement was statutorily reduced from three to two in 1990. What are your views regarding the value of three versus five commissioners? What are your thoughts on the proposal to have the CPSC operated by a single administrator, similar to the National Highway Traffic Safety Administration?

Answer. At the present time, before my confirmation and taking office, I favor a continuation of the three Commissioner structure. It does not seem that adding two more Commissioners would significantly improve the operation of the Commission. Three Commissioners provide sufficient diversity of viewpoint. Moreover, with our tight budget, adding two more Commissioners would be a waste of precious resources.

I am not prepared to take a position at this time on the issue of a single administrator. This is an issue which requires further study and consultation with the Commissioners and staff.

Question. In light of recent reductions in the CPSC's funding by the Office of Management and Budget, do you believe the agency will be able to fulfill adequately its mission and the goals you envision for it? What impact will the funding cuts have on staffing, and particularly staff morale?

Answer. I am very concerned that further cuts in the Commission's budget would inhibit our ability to carry out our mission effectively. I urge the Congress to restore at least \$1 million to our appropriations. This would improve morale at the Agency and prevent any reductions in force.

Question. As you know, rulemakings conducted by the CPSC are subjected to detailed procedures and required findings as mandated by statute. As a result, the agency has relied very little on mandatory rulemakings over the past few years. Do you believe that any changes to the rulemaking procedures—or other internal CPSC procedures—are warranted?

Answer. I would like to reserve judgment on the issue of changes in rulemaking and other procedures of the Commission until I have had an opportunity to study their effectiveness and to consult with the other Commissioners and staff concerning them. If confirmed, I will provide a specific answer to this question within 90 days after assuming office.

Question. If confirmed, how would you increase public awareness of agency recalls and other safety information? What previous experience have you had in this area that might assist you?

Answer. Television is the most important medium of mass communication in our society. Last December, the TODAY show devoted a segment of its program every day for a week to product safety and product recall information. Unfortunately, the CPSC was not involved in the program. A spokesman for a private organization provided the information. If confirmed, I will take a lead role in informing the public about product safety recalls and other product safety information. I will seek regular opportunities on the morning and evening network news programs to inform the public about important product safety developments. I also want to explore the possibility of a public access cable program about the Agency and its role in protecting consumers. Beyond these efforts, I want to work with manufacturers to develop point-of-purchase information about safe use of products, and—when necessary—product recalls.

My 17 years of experiences as head of the ADA Consumer Affairs Committee has provided excellent preparation for this role. From this position, I initiated and expanded to national proportions a report on toy safety. Prior to this time, there was no organization—public or private—focusing on toy safety. The annual report received national recognition and was widely used by the media at Christmastime each year. This experience taught me a great deal about mass communication and enabled our small group to have a major impact on toy safety across the country.

Senator BRYAN. Thank you very much, Ms. Brown. Let me now yield to the ranking member of the subcommittee, Senator Gorton, for any comments he cares to make.

OPENING STATEMENT OF SENATOR GORTON

Senator GORTON. Thank you, Mr. Chairman. As Ms. Brown knows, we had a very pleasant visit a week or so ago, and she outlined to me her general philosophy for her chairmanship on this Commission. I just, in a sense, would like her to repeat some of the things she said to me for the record.

We seemed, last year, to have been on parallel tracks in connection, among other things, with toy safety and bicycle helmets. As she knows, and as the chairman knows because of his major participation in those attempts, we now have passed legislation in the Senate on these subjects and it will soon be in conference with the House.

My own view is that we should not have to deal with legislation on specific subjects of that nature, and what I would really like Mrs. Brown to say is whether she believes that she can lead the Commission in such fashion that the expert agency can deal with these issues with the degree of balance that will, I hope, relieve us of having to deal with bills on specifics, either because the Commission has done nothing or because it goes too far out on the opposite extreme.

Ms. BROWN. Well, Senator, that would certainly be my goal, as I expressed to you. I think this can be an activist commission. I think that that would be my major goal, to make this a proactive commission. But a proactive commission must include, and this would be the second part of my goal, must include all of the disparate groups.

If you are an advocate for the nineties, there is really no reason to have an adversarial relationship with the industry. So, we must

bring, in order to protect the public safety, we must bring industry, medical groups, all of the different government groups, everybody must be brought into product safety. And that can be done, as I say, without being adversarial but with being proactive.

Finally, I think this agency has to be made a part of the public. The public must know about it. We must become highly visible. The public are our customers, the consumers. And we must serve them and they must serve us. There is a wonderful staff over there at the CPSC just waiting to be energized. They have great technical expertise. We have a fine data system. That agency is ready to go in a balanced way.

And I do agree absolutely with you, and as I emphasized to you, that to have the Congress having to micromanage the agency is not what the Congress is set up to do. I used an example of 5 gallon buckets to Senator Bryan, where I said to have to have Congress figuring out how large a warning label should be on a 5-gallon bucket or what color the type should be is not what you were set up to be. It means the agency is not doing its job.

And I pledge to you, Senators, that if I am confirmed, to the best of my ability as one person, this agency will do its job.

Senator GORTON. Just one other question that follows on that line of activism but cooperation and the like. There are a number of industries which have adopted voluntary safety standards in the absence of anything from CPSC. Do you encourage that kind of activity? Do you think there is a real place for voluntary standards as against Government action?

Ms. BROWN. The best way for us to go in the ideal world are voluntary standards, but with these caveats: They must be voluntary standards that are complied with, that are effective, and that come to pass in a meaningful amount of time that is not laggardly. But voluntary standards are by far the most effective way if the three caveats that I mentioned are adhered to. They should not take a very long time.

There is one standard that they have been trying to work on about ride-on lawn mowers. That has been going on at that Commission for 9 years. You can be sure, I will assure you, that that will not be the kind of timeframe that we will be filling at the Commission.

But I must say that I will carry, as we say, a big stick that if there are voluntary standards that are necessary and that are not there, we will not hesitate to go the mandatory route, if necessary. But it is far preferable for all of us to come together for the Commission to actually encourage, with the standard-setting programs and with the various industries, voluntary standards. The industries know what they need best of all. They are our best experts.

Senator GORTON. Thank you, Mr. Chairman. I think this nominee certainly has the background and the experience and the enthusiasm for this position, and I strongly suspect she will be promptly confirmed. And she certainly will be with my support.

Senator BRYAN. I heartily concur. Thank you very much Senator Gorton.

Let me just follow on a couple of questions Senator Gorton asked you, and that is you have in the past expressed some concerns about the agency and its function. Are there any specific changes

you would make, any reorganization that you would seek to undertake at this point?

Ms. BROWN. Senator, I really have to get over to the Commission. I have done a lot of work in this long period of time in reading about it and learning about it, but it is a little like reading about and learning how to swim. Until you are thrown into the water, you really do not know how to do it. So, I cannot be specific to you.

I do think that we have to really evaluate. I think that a new chairman should not immediately come in and start to reorganize. It is time consuming, costly, and it makes the staff that is there extremely nervous. They do not know what is going to happen when. And I think what we have to do is energize the staff that is somewhat demoralized over there. And so my instinct from the outside is not to go over and begin reorganization right away. But that does not mean that we will not begin activity right away.

Senator BRYAN. I was particularly pleased with the response, your answer to Senator Gorton on the micromanagement and the discussion you and I had, specifically about the extent to which the Congress has had to act upon certain matters that clearly ought to be undertaken by the agency itself. You used, in your response to some preliminary questions that were proposed to you by the committee, the term SWAT teams to address product hazards. What did you specifically have in mind? That is kind of an intriguing term.

Ms. BROWN. What I mean, Senator, is that short of a complete reorganization, what we want to do, and this is what the President and Vice President Gore, of course, have talked about, is to simplify some of the management layers so that we do not have to go through so many layers. If you look at a CPSC document now, the sign-on, there is hardly room for the document. Each layer signs on, signs on, signs on, and this takes a long time. We have to be working in a more timely manner out there.

So, if confirmed, what I would like to do is on a specific issue get the three or four people who have worked on this issue from the different areas, put them together, not in an official reorganization but, for instance, on toy safety, get them together and on this specific issue have them work on it. We want a simple project team to start the project and go to fruition. You empower your staff that way, you work in a more timely manner, and it does not take a major reorganization to do that.

Senator BRYAN. Well, I am anxious, as you are, for you to begin. And let me assure you that this committee will move as expeditiously as is possible, to move this nomination forward. For the record, I also note that our colleague Barbara Mikulski, who is a friend of yours and expresses her enthusiastic support in a note that I had this morning, and if you like, I would make that part of the record as well.

[The information referred to follows:]

LETTER FROM SENATOR MIKULSKI

FEBRUARY 8, 1994.

The Honorable ANN W. BROWN,
Chairman-designate, Consumer Product Safety Commission
Washington, DC 20008

DEAR MS. BROWN: Congratulations on your nomination to serve as Chairman of the Consumer Product Safety Commission. I am so sorry that I can't attend your hearing this morning, due to other pressing Senate business.

I think you're doing a great job and I'm looking forward to meeting with you soon. Wishing you continued success.

Sincerely,

BARBARA A. MIKULSKI,
U.S. Senator.

Senator BRYAN. And it is, as I observed, kind of a logical progression. You have had 20 years of advocacy on behalf of America's consumers. Now, you have an opportunity to put that philosophy and that energy and interest to work as the chairman of this Commission. And I wish you the very best and look forward to working with you.

Ms. BROWN. Thank you very much, Senator, I look forward to working with you.

Senator BRYAN. This subcommittee meeting this morning will stand adjourned.

[Whereupon, at 10 a.m., the hearing was adjourned.]

APPENDIX

LETTER FROM FRANCIS A. MCGARRY, PRESIDENT, NATIONAL ASSOCIATION OF STATE
FIRE MARSHALS

JANUARY 5, 1994.

Mr. KEVIN G. CURTIN,
Staff Director, Senate Commerce, Science, and Transportation Committee,
Washington, DC 20510

DEAR MR. CURTIN: On behalf of the chief fire officers of the 50 States, I ask that you fully support Ann Brown, President Clinton's nomination for Chairperson of the Consumer Product Safety Commission, during the confirmation process and once she begins her term.

For more than a decade, the Commission has suffered from inadequate funding and administration support of its mandate. As a result, the very spirit of the Commission has been damaged. Under Mrs. Brown's leadership, we believe real progress can be made in restoring concern for public safety and confidence in the agency.

I am pleased to share our recent resolution enthusiastically supporting her candidacy.

Sincerely,

FRANCIS A. MCGARRY,
President.

NATIONAL ASSOCIATION OF STATE FIRE MARSHALS—RESOLUTION

Whereas, accidental fires involving common consumer products cause more deaths and injuries than any other single cause, and

Whereas, the U.S. Consumer Product Safety Commission is responsible for ensuring that such products are designed and manufactured to be safe for consumer use, and

Whereas, Commission leadership has in recent years paid scant attention to fire safety, and

Whereas, product safety advocate Ann Brown has been nominated as Chairperson of the Commission, and

Whereas, Ms. Brown has in impressive record as an advocate of consumer product safety.

Be it resolved, that the members of the National Association of State Fire Marshals urge the U.S. Senate to proceed immediately with this essential appointment, and further

Be it resolved, that NASFM members fully support Ms. Brown with the many challenges she will soon face, and finally

Be it resolved, that this resolution be signed individually by NASFM members in attendance at the November 1993 meeting of the association, and be distributed to the administration and Members of Congress.

Francis A. McGarry, New York; Thomas R. Brace, Minnesota; Robert F. Allan, North Dakota; Gene Brooks, Wyoming; George A. Miller, New Jersey; B.J. Peters, Florida; Rocco Gabriele, Maryland; Jeffrey Spencer, New Hampshire; Bryon Hollander, Oklahoma; Roy Marshall, Iowa; Lynn B. Borg, Utah; Ray Blehm, Nevada; Dennis L. Decker, Kentucky; Thomas L. Armstead, Illinois; Tomm Butts, Tennessee; Steve Nuttall, Washington; Joseph A. Quander, Jr., District of Columbia; Paul L. Cooke, Colorado; Tracy Boatwright, Indiana; A.D. Bell, Georgia; Wade Schaefer, Michigan; Walter Smittle III, West Virginia; Douglas B. Peabody, Connecticut; Michael R. Durst, Nebraska; Edward C. Redmon, Kansas; Gail Chatfield, Missouri; Dean W. Smith, Colorado; Donald P. Bliss, New Hampshire; Glenn A.

Smith, Vermont; Judith G. Walden, Kentucky; Sheldon Schall, Wisconsin; Robert Tarrant, Michigan; Harry B. Harryman, South Dakota; F. James Kauffman, Massachusetts; John Robinson, Alabama; Charles E. Fredieu, Louisiana; Jack R. McGary, Alaska; Kathy Johnson, Ohio; M. David Cullum, South Carolina; Henry Hanf, Oregon; Mike Davis, Texas; and Jack Proctor, Virginia.

LETTER FROM SENATOR GRAHAM

FEBRUARY 8, 1994.

The Honorable ERNEST F. HOLLINGS,
U.S. Senate,
Washington, DC 20510

DEAR MR. CHAIRMAN: I am writing to express my strong support for the nomination of Ann Winkelman Brown of Florida to be the Chairman of the Consumer Product Safety Commission.

Ms. Brown has been a major consumer rights activist for many years. Since 1980 she has served as vice president of the Consumer Federation of America, and as chairman of the board of Public Voice, a consumer advocacy group for health and nutrition issues. She has conscientiously dedicated herself to improving public awareness by directing numerous product studies and price surveys, most notably the nationally recognized Toy and Children's Products Quality, Safety, and Price Survey. In addition, Ms. Brown is frequently called upon to testify at congressional hearings on behalf of consumers, and she played a major role in the establishment of the District of Columbia Office of Consumer Protection. Clearly, she has established a solid background in the consumer advocacy field that qualifies her to assume the duties and responsibilities of the Consumer Product Safety Commission.

Mr. Chairman, I hope that you and the other members of the committee will agree that Ms. Brown deserves to be confirmed as Chairman of the Commission. I regret that I am unable to attend the hearing today and personally speak on her behalf. I appreciate your consideration of Ms. Brown's qualifications, and look forward to assisting the committee in any way possible regarding her nomination.

With warm regards,
Sincerely,

BOB GRAHAM,
U.S. Senator.

POSTHEARING QUESTIONS ASKED BY THE MINORITY AND ANSWERS THERETO BY MS. BROWN

Question. How does the CPSC determine the issues to which it will give priority and, as a result, allocate its limited resources?

Answer. According to the Commission's fiscal year 1995 budget request, it prioritizes its activities by the degree or risk to the public, the susceptibility of the hazard to remedial action, and the cost of achieving that action. As I said in my testimony, I will emphasize the dangers to the most vulnerable in our society—children, the elderly, minority populations, and those with special handicaps.

Question. How important is scientific evidence in developing Commission priorities and in deciding to initiate a rulemaking or undertaking any other regulatory action?

Answer. Since I am not yet at the Commission, I do not know what role scientific evidence actually plays in the decision to initiate regulatory action.

Question. In your opinion, should scientific evidence used by the CPSC have been subject to peer review before the Commission uses it as a basis for its decisions? If so, what constitutes peer review?

Answer. I do not have a position on this issue. My general view is that where the scientific issue is relatively simple, outside review is not necessary. When the issue is more complex, some outside review may be useful.

Many regulatory issues will not require sophisticated science. For example, we know from experience and common sense that lawn darts are dangerous products.

POSTHEARING QUESTIONS ASKED BY SENATOR GORTON AND ANSWERS THERETO BY
MS. BROWN

Question. President Clinton released his budget earlier this week; the CPSC was cut by over \$2 million from the current fiscal year. This is over \$4 million less than the CPSC had requested. Can the Commission function effectively with these cuts?

Answer. Yes it can. However, it will not be easy. This budget reduction must be seen in the context of the past decade of budget reductions at the CPSC which have cut the staff from 978 full time employees to 512 at present. Despite this, the Commission can perform its basic mission effectively.

I am very pleased the fiscal year 1995 budget increased the funds for the Commission by \$1 million from the tentative OMB figure. This demonstrates the commitment of the Clinton administration to product safety. I hope the Congress will appropriate the full amount and that in future years further increases will be possible so that the Commission can do an even better job of protecting the public health and safety.

Question. You have been a critic of the CPSC in the past. Given current budgetary constraints, what will you do as Chairman of the Commission to address your own criticisms?

Answer. The criticisms I have previously made of the CPSC had less to do with the budget than with its performance. It has been a matter of will, not funds. As I said in my testimony, I want the Commission to be proactive, to reach out and protect the public from unsafe products, to become the national focal point for product safety efforts by bringing together public and private organizations involved in this area, and to be more visible and available to the public. All of this can be done within the proposed budget.

POSTHEARING QUESTIONS ASKED BY SENATOR MCCAIN AND ANSWERS THERETO BY
MS. BROWN

Question. Can you describe the annual toy safety media events sponsored by the ADA between 1975 and 1990?

Answer. The Consumer Affairs Committee of Americans for Democratic Action held an annual press conference during these years to release its report on toy quality, safety, and prices at the Georgetown Children's House or at Children's Hospital. The report both praised and criticized certain toys each year. The press conference was an open event with any interested press invited to attend.

Question. What was your role in planning and participating in these events?

Answer. I initiated the report, was the chief spokesperson, and was in overall charge of the project.

Question. Would you submit the toy safety reports produced for each event for that period?

Answer. Yes, if I can be assured of their prompt return. These are the only copies I have.

Question. When the ADA determined that a toy was unsafe, would you notify the Consumer Product Safety Commission in advance so they could evaluate your finding, and possibly act on the problem immediately? If not, why not? If so, in which specific cases did you notify the CPSC?

Answer. The Committee did not contact the CPSC concerning its conclusions about the safety of certain toys prior to the press conference for three reasons. First, the Committee was a small volunteer group with limited resources. The report was seldom completed until just before the press conference. We never withheld any information about an unsafe toy from the public for any significant length of time. Second, due to section 6(D) of the Consumer Product Safety Act, the Commission is precluded from releasing the brand name of products to the public. Our press conference was the most effective way of alerting the public to an unsafe product promptly. Third, each year in preparation for the report, I closely studied the CPSC accident and injury data. From this generic data, I was able to identify potentially dangerous products to test in our survey. In this way I found the baby bath seat and the toy chest. Thus, our research and testing were based on the Commission's own data.

Question. Did you or any ADA representative contact the individual toy manufacturer or the Toy Manufacturers of America (TMA) about the apparent defects found by the ADA prior to your media events? If not, wouldn't certain injuries to children possibly have been prevented had you done so?

Answer. TMA is the private, voluntary trade association of the toy industry. It has no authority to regulate its members or to direct them to take any corrective action regarding any toys. Accordingly, the Committee did not contact the TMA re-



garding toy safety issues. However, the Committee did contact manufacturers about their products. For example, in 1987 the Committee called several manufacturers prior to the release of the report to call their attention to the flammability of their products.

Question. What type of testing did the ADA utilize to determine that a toy was "unsafe"? Were there specific private testing laboratories used by the ADA each year in this regard? If so, can their reports for the products highlighted at the annual ADA media event be provided to the Committee?

Answer. The Committee emphasized real world testing methods. Each year members of the Committee attended the annual Toy Fair to preview the toys for the coming year. As the Christmas shopping season approached, members of the Committee interviewed customers, operators, and salespeople at local toy stores regarding the toys. They also consulted professionals at the Johns Hopkins School of Public Health and doctors at local hospital emergency rooms. Finally, groups of children ranging in ages from 2 to 12 were recruited to play with the toys and give their views about them. The Committee's toy experts observed the children at play and cataloged the result. No private, professional testing laboratories were used in the testing but, where technical issues were involved, the Committee consulted a competent professional. For example, when the Committee investigated the safety of an inflatable sled, it utilized the services of a professional engineer who had served for 6 years as a product safety engineer at the CPSC.

Question. You stated that the views of the former Chairman of the Consumer Product Safety Commission were "anticonsumer." Please elaborate on this comment. Which specific actions by the former Chairman led you to this description?

Answer. The Chairmanship of former Chairman Scanlon was marked by a spirit of animosity in the Commission. As a result, the Commission was not able to function in a collegial manner. This reduced the amount of product safety work which was done.

Question. I appreciate your comments that there is an important distinction between the responsibilities of consumer advocacy groups and the members of the CPSC. As Chairman of the CPSC, will you encourage advocacy groups to work with the Commission in a more cooperative manner? In order to ensure that legitimate public concerns about consumer products are properly evaluated, should consumer groups forge a less adversarial relationship than has been the case in the past to promote the public's interest?

Answer. As Chair of the Commission I will encourage all organizations to work cooperatively with the agency. Consumer groups as well as those representing industry have their own agendas. Their posture on any issue is separate from the responsibility of the Commission to properly evaluate every issue before it.

Question. Which specific recommendations of the Committee do you feel were most important in prompting manufacturers of the CPSC to respond with better safety precautions or regulations?

Answer. Through our reports, the Consumer Affairs Committee was able to raise the public consciousness about product safety. As a result of our work, both business and consumers became more aware of product safety.

Question. Regarding their regulatory authority, what do you feel were the significant errors of the CPSC during your work with the Consumer Affairs Committee?

Answer. During the time I was Chair of the Consumer Affairs Committee, I believe the CPSC was too passive and was not a sufficiently proactive organization.

Question. The reports published by the Consumer Affairs Committee of the Greater Washington ADA often contained very strong criticisms of the CPSC. One example is the 1989 report which mentioned the CPSC's "pitiful ineptitude," and described certain CPSC actions as "especially pathetic." In retrospect, do you feel these statements were fair in their characterizations? Please comment on whether such statements impair the ability of advocacy groups to work with the CPSC—or with any other Federal agency—in a manner that actually benefits the public interest.

Answer. The statements made by the Consumer Affairs Committee were intended as constructive criticism. The language used by any organization has nothing to do with the responsibility of the Commission to carry out its functions under the law. As Chair, I will work with all groups regardless of their language.

Question. The Committee's annual reports often criticized the CPSC's decisions not to pursue a mandatory rulemaking or product labeling requirement. I have disagreed with several of their findings as well. Upon assuming the Chair of the CPSC, do you have any priorities that you feel are vital to protecting the safety of consumers in the United States?

Answer. As I said in my statement to the Commerce Committee, I will make the safety of children, the elderly, and other vulnerable populations a priority. I prefer

voluntary compliance whenever possible, but I will advocate mandatory action when necessary.

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